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BEFORE THE LAND USE COMMISSION

OF THE STATE OF HAWAII

In the Matter of the Petition of the DEPARTMENT OF PLANNING AND ECONOMIC DEVELOPMENT, STATE OF HAWAII To Amend the Conservation Land Use District Boundary to Reclassify Approximately 190.237 Acres, TMK 7-3-43: Portions of 3, at Keahole, North Kona, Island and County of Hawaii, into the Urban Land Use District	DOCKET NO. A81-518

This is to certify that this is a true and correct copy of the Decision and Order on file in the office of the State Land Use Commission, Honolulu, Hawaii.

6/7/87
Date

by
Executive Officer

DECISION AND ORDER

BEFORE THE LAND USE COMMISSION

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In the Matter of the Petition of the DEPARTMENT OF PLANNING AND ECONOMIC DEVELOPMENT, STATE OF HAWAII To Amend the Conservation Land Use District Boundary to Reclassify Approximately 190.237 Acres, TMK 7-3-43: Portions of 3, at Keahole, North Kona, Island and County of Hawaii, into the Urban Land Use District	DOCKET NO. A81-518 FINDINGS OF FACT, CONCLUSIONS OF LAW, DECISION AND ORDER

FINDINGS OF FACT, CONCLUSIONS OF LAW, DECISION AND ORDER

The above-captioned land use boundary amendment proceeding was initiated by the petition of the DEPARTMENT OF PLANNING AND ECONOMIC DEVELOPMENT, pursuant to Chapter 205, Hawaii Revised Statutes, and the Rules of Practice and Procedure of the Land Use Commission, State of Hawaii, to amend the Land Use District Boundary of certain lands consisting of approximately 190.237 acres, identified by Tax Map Key 7-3-43: Portions of 3 (hereinafter referred to as the "subject property") situated at Keahole, North Kona, Island and County of Hawaii, from the Conservation District to the Urban District. The Land Use Commission, having heard the evidence presented on the matter during the hearing held on February 25 and March 9, 1982 in Kailua-Kona, Hawaii, and having considered the full record in this Docket, hereby makes the following findings of fact and conclusions of law.

FINDINGS OF FACT

PROCEDURAL MATTERS

1. The State of Hawaii Department of Planning and Economic Development (hereinafter "Petitioner") filed the

petition on October 5, 1981, on behalf of the Department of Transportation (DOT), which proposes to expand the Keahole Airport facilities on the subject property.

2. The Land Use Commission (hereinafter referred to as the "Commission") held the hearing on the petition on February 25 and March 9, 1982 at Kailua-Kona, Hawaii, pursuant to notices published in the Hawaii Tribune Herald and the Honolulu Advertiser on January 22, 1982.

3. The Commission denied Elizabeth Ann Stone's petition for intervention which was received on February 2, 1982, because Ms. Stone was not present at the hearing.

DESCRIPTION OF THE SUBJECT PROPERTY

4. The subject property is located along the western portion of the Island of Hawaii, approximately seven miles north of Kailua Town, and adjacent to and east (mauka) of the existing Urban District at Keahole Airport. It consists of three areas totaling approximately 190.237 acres, identified by Hawaii Tax Map Key 7-3-43: Portions of Parcel 3, and described as follows:

Area "C"	= 117.766 acres;
Area "D-1"	= 69.046 acres;
Area "D-2"	= 3.425 acres.
Total	190.237 acres

The location of these areas are illustrated in Exhibit A, attached hereto and incorporated by reference herein.

5. Queen Kaahumanu Highway and the Keahole Airport access road afford access to the subject property.

6. The State of Hawaii holds fee simple title to the subject property pursuant to Governor's Executive Order No. 2472, dated November 7, 1969, which set the property aside for airport use.

7. The subject property is presently vacant and not in use.

8. The subject property consists of very porous lava rock that originated as flows from Mount Hualalai. Elevations above mean sea level at the subject property vary from 100 feet in the east (mauka) to 40 feet in the west (makai). Average slope is approximately four percent.

9. Average annual rainfall at the subject property is 25 inches.

10. The subject property adjoins the Keahole Airport complex, an Urban District of approximately 501 acres. Existing airport improvements include a 6,500-foot runway, airfield, terminal building complex, airline maintenance and service areas, crash/fire rescue facilities, aviation hangar facilities, and associated ramps and access roads.

PROPOSAL FOR DEVELOPMENT

11. Phase I of the proposed expansion will occur on Areas "C" and "D-1," and will include the following:

a. Construction of new access roads and utilities to service new general aviation facilities.

b. Construction of approximately 9 acres of aprons and taxiways for general aviation use including lighting and marking, and relocation of fuel tanks.

c. Relocation of existing T-Hangar and construct a new T-Hangar.

d. Construction of two new air cargo buildings with loading docks.

e. Construction of a new maintenance baseyard facility.

12. The DOT proposes to begin construction of Phase I in January 1983 and expects to complete construction in 18 months. The DOT estimates the total construction cost for Phase I at $7,304,000.

13. Phase II of the proposed expansion will occur on Areas "C," "D-1," and "D-2," and will include the following:

a. Additional Taxiways and Aprons

b. Expansion of T-Hangars

c. Expansion of Air Cargo

d. Additional Commuter Airline Terminals

e. Airport Administrative Facilities

f. Airport Concessions -- Restaurants, Gift Shops, Flower and Lei Shops, etc.

g. Helipads

h. Additional Roads and Facilities

i. Airport Security Fencing

The DOT does not presently have a specific timetable or cost estimate for the Phase II projects but expects to complete construction before 1990.

PETITIONER'S FINANCIAL CAPABILITY TO UNDERTAKE THE PROPOSED DEVELOPMENT

14. The DOT proposes to obtain funding for Phase I of the subject project from the U. S. Department of Transportation Airport Development Aid Program (ADAP), administered by the Federal Aviation Administration (FAA), which may pay up to 80 percent of the anticipated cost. The State of Hawaii, through its Capital Improvement Program (CIP), will pay for the remaining 20 percent.

STATE AND COUNTY PLANS AND PROGRAMS

15. The subject property is classified within the State Land Use Conservation District as shown on Land Use District Map H-2 (Keahole Point).

16. The State Department of Land and Natural Resources designates the subject property within the General Subzone, the least restrictive Conservation subzone.

17. The State Department of Agriculture designates the subject property as "unclassified" lands on its maps of Agricultural Lands of Importance to the State of Hawaii (ALISH).

18. The County of Hawaii General Plan Land Use Pattern Allocation Guide Map designates the subject property "Industrial." Construction of the proposed use will not require a General Plan Amendment.

19. The subject property is zoned "Open" by the County of Hawaii and is situated within the County's Special Management Area (SMA). A zoning change and a SMA permit will be required to implement the proposed development.

NEED FOR THE PROPOSED DEVELOPMENT

20. The proposed development is phased over a period of 10 years, in order to meet the objectives of providing such airport facilities and improvements as are commensurate with the projected level of aviation traffic.

21. Since its opening in July of 1970, Keahole Airport has experienced a steady rise in the level of aircraft operations, passenger movement, and air cargo tonnage. Aircraft operations by type increased as follows:

Year	Air Carrier	Air Taxi	Aviation	Military	Total
1971	10,653	5,110	9,734	1,635	27,132
1980	13,895	14,953	28,354	9,742	66,944
Increase	3,242	9,843	18,620	8,107	39,812

This rise in the level of avaiation traffic is largely attributable to the population and economic growth experienced throughout the South Kohala-North Kona region.

22. Keahole Airport has experienced a faster growth in passenger air traffic and air cargo tonnage than General Lyman Field in Hilo. Interisland passengers passing through Keahole Airport increased from 291,000 in 1970 to 1,100,000 in 1980.

The total weight of air cargo increased from 10.2 million pounds to 15.7 million pounds from 1978 to 1980. Military aircraft utilization of Keahole Airport increased to more than 20 percent of total operations in 1980.

23. The development proposed on the subject property is intended to alleviate the following existing problem conditions at the Keahole Airport:

a. Logistical conflicts and traffic hazards exist due to the inadequacies of existing facilities and their cross-traffic locations. The northern ramp area is presently very congested with various air tours, air commuters, as well as the parking and operations of private aircraft. The larger carriers have complained of smaller propellor-driven airplanes blowing air and sand on their passengers during boarding.

b. There is a need for more runway apron space and open shed areas for loading and unloading air cargo planes. Meat and other perishables spoil during the transit time between the aircraft and a refrigerated or shaded area. More warehouse space and chill box facilities are needed at the airport to allow efficient storage and movement of incoming and outgoing goods.

c. Exterior tie-down space to park private airplanes and interior T-hangar space are both inadequate. An airplane kept in the open will deteriorate at least three times faster than an airplane protected from the sun by a covered hangar. Polyurethane paints deteriorate and radio transistors burn out faster when subjected to the 110°F temperatures inside the cockpit. The rate of corrosion is greater on the interior rather than the exterior of an unprotected airplane.

d. The general aviation community in Kona needs an indoor maintenance facility. At present, major

maintenance such as the annual inspection and radio work must be done in Honolulu.

e. Visibility from the control tower is poor as small aircraft emerge from behind any of six general aviation hangars at Keahole Airport. The proposed relocation and expansion of the hangar areas would resolve this problem.

IMPACTS UPON RESOURCES OF THE AREA

Agriculture

24. The subject property is unsuited for agricultural use; its reclassification will not adversely affect the agricultural resources of North Kona.

Recreation, History and Archaeology

25. The subject property has little or no value as a recreational resource because it is located immediately mauka of the existing airport.

26. Chiniago Inc., conducted an archaeological survey in 1980 and discovered no sites of archaeological or historical importance at the subject property.

Air Quality, Noise and Visual Quality

27. Construction of the proposed facilities will generate dust and emissions from construction vehicles. The impact of these pollutants, however, will be temporary and localized, as there are no residential or commercial areas in the vicinity of the subject property.

28. Development of the subject property irrevocably impacts on the original lava fields.

Groundwater and Coastal Resources

29. The pristine waters off Keahole Point will not be degraded by the proposed development.

Flora and Fauna

30. There are no known rare or endangered plants on the subject property.

31. The Hawaiian Stilt, Hawaiian Owl, and Hawaiian Hoary Bat are known to forage in the general areas surrounding the existing Keahole Airport, but the subject property is not a suitable habitat for any of these endangered animals.

ADEQUACY OF PUBLIC SERVICES AND FACILITIES

Sewage Treatment and Disposal of Solid Waste

32. Sewage generated at Keahole Airport and the Natural Energy Laboratory of Hawaii is treated and disposed by a 40,000 GPD secondary sewage treatment plant located on the north side of the airport building complex. This sewage treatment plant presently operates at approximately one-fourth of its design capacity, and can treat the additional waste to be generated by the proposed development.

33. Disposal of solid waste can be accommodated at the Kealakehe sanitary landfill in North Kona.

Drainage

34. Excess storm water from paved areas will be carried by drain pipes into dry wells in the porous old lava flows comprising the subject property.

Roadways and Highways

35. The Keahole Airport Access Road affords access from Queen Kaahumanu Highway to Keahole Airport and the subject

property. The Queen Kaahumanu Highway is the major coastal arterial connecting Kawaihae and Kailua. Queen Kaahumanu Highway has a capacity of 1,840 vehicles per hour (vph). The State Department of Transportation, Highways Division has recorded peak hour traffic volumes of 469 vph (a.m.) and 483 vph (p.m.).

Fire and Police Protection

36. The County provides police protection from its Kona District Headquarters located in Captain Cook.

37. The County provides fire protection from its Kailua Station along Palani Road. To provide fire protection for the airport, a 500,000 gallon storage reservoir was constructed at an elevation of 280 feet above the airport complex.

Electrical

38. HELCO's 69 KV overhead transmission line is located 50 feet east (mauka) of the Queen Kaahumanu Highway. This transmission line runs between Kailua and Waimea and connects Kailua to the major electrical generating facilities in Hilo.

Water

39. The Keahole Airport complex utilizes domestic water from the County of Hawaii's water system taken from the Kahaluu Deep Wells. The proposed Phase I expansion of Keahole Airport scheduled for completion before 1985 will have a very minimal impact on water requirements. Minimal additional toilet facilities will be required for employees at the new T-hangars, new air cargo building, and new maintenance area, as the majority of these employees will be relocated from other operational areas at the airport. Other water uses for general maintenance washing and cleaning of various areas and

general aviation aircraft (which may be done once in seven or eight months), and for watering the Phase I landscaping area of 2 1/2 acres will also be minimal. The Department of Transportation will restrict its usage of water to 600 gallons of water per day for Phase I (1981-1985) projects. To accomplish this restriction, DOT will thoroughly review its landscaping plans to insure that plants requiring less water will be utilized and that the extent of landscaping will be minimized without affecting its overall objectives.

40. Phase II of the proposed Keahole Airport expansion, scheduled for completion before 1990, will require additional employees when the T-hangars and air cargo facilities are expanded and when additional commuter airline terminals, administrative facilities, and airport concessions are completed. Landscaping requirements may also increase but can be handled by the use of wastewater and water catchment methods. DOT anticipates that a new source of water will be available at this time if additional water requirements are needed for Phase II.

COMPLIANCE WITH STANDARDS FOR DETERMINING DISTRICT BOUNDARIES

41. The proposed land use district boundary amendment request conforms to the standards of the Urban Land Use District.

a. The subject property is contiguous to the existing Urban District at Keahole Airport. Keahole Airport is a major urban-type public facility which possesses adequate supportive services and facilities such as water, sewage treatment, roadway access, and police and fire protection. The uses proposed on the subject property will become a part of the existing airport operations; scattered and spot urban development shall be avoided.

b. The proposed development is necessary if the Keahole Airport is to accommodate the growth and development that has occurred and is projected for the

South Kohala and North Kona regions of the Island of Hawaii.

c. The subject site is physically suitable for the uses proposed. The property is reasonably free from the danger of floods, tsunami and unstable soil conditions. The property possesses satisfactory topographic and drainage conditions to accommodate the uses proposed.

d. The proposed development shall make maximum use of existing services and facilities.

e. The proposed land use reclassification will have no significant adverse effects upon agricultural, natural, environmental, recreational, scenic, historic, or other resources of the area.

42. The subject property's current subzone designation within the Conservation District anticipates its conversion to other than open space uses when a public need arises. The need for improved and expanded facilities at Keahole Airport is shown by a clear preponderance of the evidence; it is no longer practicable to continue classification of the subject property within the Conservation District.

RULINGS ON PROPOSED FINDINGS

Any of the proposed findings of fact submitted by Petitioner or other party to this proceeding not already ruled upon by the Land Use Commission by adoption herein, or rejected by clearly contrary findings of fact herein, are hereby denied and rejected.

CONCLUSIONS OF LAW

Pursuant to Chapter 205, Hawaii Revised Statutes, and Rules of Practice and Procedure and District Regulations of the State Land Use Commission, the Commission finds upon the clear preponderance of the evidence that the proposed boundary amendment does conform to the standards established for the Urban District by the State Land Use District Regulations, is reasonable, and is not violative of Section 205-2 Hawaii Revised Statutes, as amended; and is consistent with the Hawaii State Plan, as set forth in Chapter 226, Hawaii Revised Statutes as amended.

DECISION AND ORDER

IT IS HEREBY ORDERED that the lands which are the subject of the petition of the Department of Planning and Economic Development, State of Hawaii, in Docket No. A81-518, identified by Hawaii Tax Map Key 7-3-43: Portions of 3, and further described as Area "C," Area "D-1," and Area "D-2" in Exhibit A attached hereto, consisting of approximately 190.237 acres at Keahole, North Kona, Island and County of Hawaii, shall and is hereby reclassified from the Agricultural to the Urban District, and the Land Use District Boundaries are hereby amended accordingly.

A81-518 - DEPARTMENT OF PLANNING AND ECONOMIC DEVELOPMENT
(Keahole Airport)

Done at Honolulu, Hawaii, this 2nd day of August, 1982, per motion on June 8, 1982.

LAND USE COMMISSION
STATE OF HAWAII

By _____
WILLIAM W. L. YUEN
Chairman and Commissioner

By _____
RICHARD B. F. CHOY
Vice Chairman and Commissioner

By _____
LAWRENCE CHUN
Commissioner

By _____
EVERETT CUSKADEN
Commissioner

By _____
SHINSEI MIYASATO
Commissioner

By _____
WINONA E. RUBIN
Commissioner

By _____
TEOFILO PHIL TACBIAN
Commissioner

By _____
ROBERT S. TAMAYE
Commissioner

By _____
FREDERICK WHITTEMORE
Commissioner

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CERTIFICATE OF SERVICE

I hereby certify that a copy of the Land Use Commission's Decision and Order was served upon the following by either hand delivery or depositing the same in the U.S. Postal Service by certified mail:

HIDETO KONO, Director
Department of Planning & Economic Development
State of Hawaii
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Honolulu, Hawaii 96813

ANNETTE CHOCK, Deputy Attorney General
Department of Attorney General
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Department of Land and Natural Resources
1151 Punchbowl Street
Honolulu, Hawaii 96813

DATED: Honolulu, Hawaii this 2nd day of August, 1982.

GORDAN Y. FURUTANI
Executive Officer